United Nations CRC/C/SR.2110

Convention on the Rights of the Child

Distr.: General
26 May 2016

Original: English

Committee on the Rights of the Child
Seventy-second session

Summary record of the 2110th meeting*
Held at the Palais Wilson, Geneva, on Thursday, 19 May 2016, at 3.00 p.m.

Chair: Mr. Mezmur

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* No summary records were issued for the 2108th and 2109th meetings.

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The meeting was called to order at 3.05 p.m.

Consideration of reports of States parties (*continued*)

Combined third to fifth periodic reports of Nepal (CRC/C/NPL/3-5; CRC/C/NPL/Q/3-5; CRC/C/NPL/Q/3-5/Add.1)

1. *At the invitation of the Chair, the delegation of Nepal took places at the Committee table.*

2. **Mr. Prasad Regmi** (Nepal) said that the new Constitution, which had come into force in 2015, enshrined respect for the rights of the child as a fundamental principle. Those rights included the right to development, education and health care. In addition, a number of provisions of the Convention specifically prohibited practices such as child marriage, human trafficking, the employment of children in hazardous forms of labour and child abuse. The Government was in the process of amending the Children's Act of 1992 in order to prohibit all forms of violence against children, including corporal punishment in any and all settings. The definition of a child was also to be changed in the amended law so that all persons under 18 years of age would be considered children.

3. Implementation of the Education for All and School Sector Reform Programme had boosted the primary-school enrolment rate to 96.2 per cent. Enrolment in secondary education had also increased. The percentage of the nation's schoolteachers who were fully qualified had also increased significantly, as had the literacy rate among children between 6 and 15 years of age.

4. Efforts had been devoted to raising the child immunization rate and to ensuring that funds were available for immunization programmes at the national level. Nepal had managed to achieve the target for the fourth Millennium Development Goal on the reduction of child mortality, as had been noted by the World Health Organization (WHO).

5. Under the National Children's Policy of 2012, no child was to be involved in armed conflict or hazardous forms of labour, and legal sanctions for violations of its provisions had been introduced. A number of government entities, including the Ministry of Labour and Employment, were coordinating their efforts to monitor the child labour situation, to protect children, to penalize persons who employed them in factories and to rehabilitate rescued child labourers. In line with the Street Children Rescue, Protection and Management Guidelines of 2015, a rescue procedure had been established and support centres for street children had been set up. The Government had also introduced a national strategy for eradicating the practice of child marriage in Nepal by 2030. The Women's Development Programme focused on promoting the social and economic development of women and protecting their rights and the rights of children; one of its main lines of action was to combat gender-based violence. Around 1 million women belonged to the women's groups formed under that programme. In addition, over 400,000 children belonged to the nationwide network of children's clubs.

6. Significant achievements had been made in advancing the rights of the child in Nepal, yet children remained particularly vulnerable to adversity in the aftermath of the devastating earthquake that had struck Nepal in 2015. Poverty and parental unemployment were another major obstacle to improving the standard of living of children in Nepal. The Government had, however, intensified its efforts to address those problems and was firmly committed to fully implementing the Convention by legislative, administrative and judicial means.

7. **Mr. Cardona Llorens** (Coordinator, Country Task Force) said that the Committee would like to reaffirm its solidarity with Nepal in the wake of the 2015 earthquake, the consequences of which were still being felt. While it was commendable that the State party

had ratified two of the optional protocols to the Convention, it had not yet ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. Given that the State party had already agreed to the use of communication procedures in respect of other Conventions, he urged the Government to ratify the third Optional Protocol as soon as possible.

8. The State party was to be commended on its new Constitution, but new legislation and amendments to existing laws were needed in order to ensure its full implementation. The Committee would appreciate an update on legislative efforts in that regard, especially concerning the amendment of the Children's Act of 1992 to raise the age limit used to define who was a child from 16 to 18 years of age. Would the new age limit also apply to the determination of adult criminal responsibility?

9. Given that the implementation period for the National Plan of Action for Children had come to an end in 2015, the Committee would appreciate an update on the progress made under that plan and would like to know if those achievements had been evaluated. Was the Government going to introduce a new plan with a specific budget allocation for its implementation? The State party appeared to have a number of different plans in place regarding issues such as child labour, trafficking and gender-based violence. The Committee would like to know how those plans were being coordinated and implemented. What resources were allocated for each of the plans? It was important to put in place a coordination mechanism for all government agencies responsible for issues relating to children's rights. Were there plans to do so? While the National Women's Commission was responsible for protecting the rights of women, there was no such commission for children. The Committee would therefore like to know if the Government envisaged setting up such a body. Did the National Human Rights Commission have a specialized section focusing on the rights of the child with staff specially trained in that area? Were individuals able to submit complaints to the Human Rights Commission?

10. While numerous budget allocations for earthquake response actions had been increased, the Committee would like to know more about how funding for vulnerable groups, such as children, had been prioritized. In particular, how much funding had been allocated for rebuilding schools and hospitals, and what measures had been put in place to combat corruption and ensure that those funds were not being diverted? The data made available to the Committee were not integrated or disaggregated, making it very difficult to analyse the situation in the State party, and data-collection functions should therefore be more closely coordinated in the future.

11. The Committee was keen to learn more about the methods used to publicize the Convention and to ensure that children were aware of its provisions. It was clear that the State party still faced significant challenges in providing Nepalese children with adequate protection against discrimination on the grounds of gender, religion, caste, ethnicity, religion and disability. As anti-discrimination legislation alone was not enough to eliminate all forms of discrimination against children in Nepal, he would appreciate additional information on the specific policies, awareness-raising campaigns and affirmative action measures adopted by the State party to that end.

12. The Committee was also concerned by the negative impact of food shortages on the development of children in Nepal, especially as nearly 40 per cent of children under 5 years of age were reportedly undernourished. Were there specific programmes in place to alleviate the situation of those children?

13. He would like additional information on the practical measures taken to put an end to the torture and ill-treatment of children in detention facilities, which was on the rise. In particular, he was keen to know what steps had been taken to investigate the specific case of an 11-year-old boy who had reportedly been tortured by police in the Pachuwarhat police

station in the district of Kavre in 2011 and what steps had been taken to punish those responsible. He also wished to learn more about the State party's general approach to dealing with children who had been subjected to torture, involved in an armed conflict or abducted as part of such a conflict.

14. Noting that the State party was preparing to outlaw the corporal punishment of children, he asked whether the law in question would cover all forms of violence committed within the family, in schools and in residential care facilities. The alarming frequency with which women and girls were subjected to physical, psychological and sexual abuse in a variety of settings in Nepalese society was a serious cause of concern for the Committee. According to the most recent National Demographic Health Survey, one third of women admitted to having been raped by the age of 15. He wished to know what specific measures the State party was taking to combat gender-based violence, especially the rape of young girls, whether there were laws in force to prevent and punish child abuse, whether there were effective complaints mechanisms in place for children, what penalties were typically handed down to the perpetrators of child abuse and whether compensation had been provided to adults who had been raped as children during the Nepalese civil war.

15. **Ms. Sandberg** (Country Task Force) said that she would like to know in which laws, programmes and policies the best interests of the child had been established as the main criterion for decision-making and whether that concept was clearly defined in those instruments. Had the State party drawn up guidelines to assist the national courts and other decision-making bodies in applying that principle? Were judges, social workers and child protection officers provided with training on how to apply that principle in the course of their duties? She would be interested to learn whether the State party intended to adopt legislation to give effect to the principle of child participation as set forth in the new Constitution. She welcomed the fact that children's clubs were frequented by so many children and would like to know more about the specific mandate of such clubs and the activities through which the children learned to express their views and opinions. Did those clubs encourage children to participate in democratic processes? Were they accessible to underprivileged and marginalized children? The child-friendly nature of local governments and their policy of involving children in certain decision-making processes were also commendable. She wished to know how local governments ensured the effective participation of children from all backgrounds in decision-making processes concerning them and how they took account of the ethical concerns surrounding children's participation in such activities.

16. Notwithstanding the prohibition of child marriage under the new Constitution and the national strategy adopted to eradicate that practice, child marriage remained prevalent, with around 50 per cent of girls reportedly marrying before the age of 18. Moreover, a number of inconsistencies persisted between the civil and criminal law provisions dealing with that practice. She asked how the State party planned to resolve those inconsistencies and to facilitate the effective enforcement of the prohibition of child marriage; whether children forced into marriage had access to legal remedies; and whether child marriages, including those which had produced children, could be declared null and void and, if so, at what stage. Information would be appreciated regarding the protection and assistance provided to children who had been forced into marriage and the measures in place to prevent further early marriages from taking place. Could parents or other adults involved in arranging an early marriage be prosecuted under Nepalese law? How did the State party intend to address the fact that financial hardship occasioned by the earthquake had driven many families to arrange early marriages for their children as a means of survival? Noting that it was not uncommon for girls to view marriage as a rite of passage or as a means of helping their family, she asked whether the State party planned to conduct awareness-raising initiatives in an attempt to change attitudes towards early marriage in Nepalese society.

17. Lastly, the Committee was deeply concerned about the discrimination, ill-treatment and abuse — including temporary expulsion from the family home and school — to which many women and girls who were menstruating were subjected because they were perceived as being dirty or impure. Had the measures adopted by the State party to combat that and other harmful traditional practices proven effective?

18. **Ms. Muhamad Shariff** (Country Task Force) said that she would like to know whether the bill amending the existing Children's Act had already been adopted and, if not, when its adoption was likely to take place. According to the most recent National Demographic Health Survey, only around 40 per cent of children under the age of 5 were registered and were in possession of a birth certificate. She invited the State party to explain why it generally gave precedence to the registration of older children over that of infants. She wished to learn whether it was compulsory to register a child's birth in Nepal, whether the low rate of birth registration in the country was attributable to deficiencies in the birth registration system or to a lack of trained staff in local registration offices and whether, as a general rule, children could be registered under the name of their mother alone. The Committee had received reports that, despite the steps taken by the State party to remove the procedural obstacles to registering the birth of a child whose father was unknown — as in the case of a child born out of wedlock or as a result of rape, refugee and asylum-seeking children and abandoned children — many mothers continued to encounter difficulties in that regard. She wished to invite the delegation to comment on those reports. She would also like to know whether the State party collected disaggregated data on births and birth registration for planning and/or monitoring purposes.

19. It was her understanding that, under the new Constitution, a Nepalese man could transmit Nepalese citizenship to his children regardless of the nationality of his wife, whereas a Nepalese woman married to a foreign national could only transmit Nepalese citizenship to her children once her husband had also acquired Nepalese citizenship. Such differential treatment amounted to gender-based discrimination. Was the State party considering waiving the requirement for the father of a child to be a Nepalese citizen in order for the child's birth to be registered?

20. The Committee was concerned by the involvement of children in electoral campaigns. Since there was a special code of conduct for elections which prohibited political parties from involving children under the age of 16 in such activities, she would like to know whether persons who violated that code were prosecuted and punished as a matter of course and whether the State party had undertaken any campaigns to raise awareness of children's rights among members of political parties. She also wished to know whether there was a law in force which guaranteed the right of children to freedom of expression and to have their views taken into account in relevant decision-making forums.

21. There was evidence to suggest that the right of children to freedom of thought, conscience and religion was seldom respected within the family or by State institutions. The Committee had also received reports that children were often enticed to convert to another religion in return for food or material benefits. Had the State party taken any steps to promote respect for that right, to foster religious and ethnic diversity and to put an end to the discrimination faced by religious minorities, particularly Muslims?

22. She would like to learn more about the State party's approach to the task of ensuring that parents, teachers and the media respected the right of children to privacy and that children had access to appropriate information on education, health-care services, social security benefits and relevant legal procedures. She also wished to know whether the State party planned to adopt a law to protect children from the dangers associated with using the Internet and social media or to introduce a code of conduct on the appropriate use of technology.

The meeting was suspended at 4.05 p.m. and resumed at 4.25 p.m.

23. **Mr. Gnyawali** (Nepal) said that the Government recognized the need to adopt specific laws and policies to give effect to the fundamental rights of children that were enshrined in the new Constitution. The Ministry of Law, Justice and Parliamentary Affairs had identified specific aspects of children's rights that warranted special attention and, in consultation with other relevant ministries, had devised a strategy and a timeline for drafting and adopting new laws and revising existing laws concerning children's rights. The bill amending the Children's Act was still the subject of ongoing consultations so had not yet been adopted. Once the task of bringing the provisions of the bill into line with those of the new Constitution had been completed, the final version of the bill could be submitted to the national parliament for approval. The bill addressed many of the issues raised during the interactive dialogue with the Committee, including the legal definition of a child and the minimum age of criminal responsibility. Once the bill had been adopted, the Government could begin the process of harmonizing the varying definitions of a child and the different minimum ages of criminal responsibility laid down in other laws.

24. **Mr. Dhital** (Nepal) said that the Government was committed to achieving the full realization of children's rights in Nepal and, despite the scant resources available to it, had adopted a large number of policies and strategies in an effort to reach that goal. It was grateful for the financial assistance that it had received from the international community and had channelled those funds into actions aimed at protecting and promoting children's rights and interests. The Central Child Welfare Board also worked to protect and promote children's rights and played a coordinating role on the ground. The Social Welfare Council coordinated the activities of NGOs involved with children's issues, whereas the Ministry of Women, Children and Social Welfare was responsible for coordinating the activities carried out by public agencies and other ministries. There were plans to form a council, to be chaired by the Minister for Women, Children and Social Welfare, to deal with broader issues of relevance to children. Local offices monitored the situation with respect to children's rights in each of the country's districts, while the overall situation was monitored by the National Human Rights Commission, which had a special office devoted to children's issues. NGOs also contributed to those efforts, and more disaggregated data were being collected.

25. Steps were being taken to draw up women- and child-friendly budgets. Much of the money received from donors after the earthquake in April 2015 was being used to rebuild schools and hospitals. A shortage of supplies had slowed the pace of reconstruction, but it had picked up in recent months. Mechanisms to ensure accountability for the expenditure of donated funds were in place. The country's lawmakers were also vigilant in that respect.

26. Violence against children was not tolerated in Nepal. When cases of such violence were reported, investigations were carried out and the perpetrators were held responsible. Two institutions, one of which was the Truth and Reconciliation Commission, had been set up in the wake of the country's civil war and had begun receiving victim complaints. Rape was taken very seriously by the authorities and, thanks to a supportive environment, more and more rape victims were willing to report that crime. No rapist could count on impunity. Despite reports indicating otherwise, the percentage of Nepalese women and girls who were likely to be victims of rape during their lifetime was not known with any certainty.

27. Poverty tended to make it harder to root out such harmful practices as *chaupadi* and early marriage, especially in far-flung areas of the country. Efforts were made to ensure that girls were educated so that they could make their own decisions about marriage. Parents were increasingly supportive of their daughters' decisions in that regard.

28. Children did not take part in political activities. Their task was to attend school. In recent years, persons found preying on children online had been prosecuted under the country's new Internet laws.

29. As a birth certificate was required in order to enrol a child in school, families had a powerful incentive to register the births of their children, and the practice was increasing. However, as a result of communication difficulties, low levels of awareness and the country's difficult terrain, some families still did not register their children's births. Measures were being taken to ensure that all children were provided with birth certificates and would thus be eligible to receive vital public services.

30. **Ms. Sandberg** said that she would appreciate specific information on the reduction in the number of child marriages in the State party. She asked what measures had been taken to protect children, girls in particular, who had been obliged to marry. She would also welcome information on how children's clubs participated in decision-making at the local level or in schools.

31. **Mr. Cardona Llorens**, noting that a number of the delegation's replies had been overly generic, asked whether the State party intended to amend the law that governed the activities of the National Human Rights Commission. Would any such amendment provide for the direct submission of complaints to the Commission by children? He would like to know what steps the authorities intended to take to ensure that the resources donated to the Nepalese people after the 2015 earthquake were equitably distributed to children throughout the country, not just those in Kathmandu. He would welcome clarification of the Government's position on the prosecution of persons accused of having committed rape and other war crimes during the recent conflict.

32. **Mr. Dhital** (Nepal) said that, although child marriage was prohibited by the Constitution, its continued existence had to be acknowledged. It was not as prevalent as it once had been, however. A strategy which was to be pursued by a number of different ministries and public agencies and whose main goal was to end child marriage by 2030 had been launched at the Nepal Girl Summit held in March 2016.

33. Nepal did not have a separate commission for the protection and promotion of children's rights, as it did in the case of the rights of women or Dalits, but the National Human Rights Commission had a focal point for children's issues. The authorities were in the process of introducing a coding system that would make it possible to identify budget allocations earmarked for matters concerning children more accurately. The Central Bureau of Statistics was developing a multiple indicator cluster survey for data-collection purposes. Other public institutions, including the Central Child Welfare Board, also compiled disaggregated data. The challenge was to build better links between discrete data sources.

34. The Convention had been translated into Nepalese and other local languages spoken in Nepal. Awareness and training programmes run by the Ministry of Women, Children and Social Welfare included a session devoted to the Convention.

35. To encourage girls to attend school, in particular when they were menstruating, special measures were being taken to ensure that separate toilets and changing rooms were included in the schools being rebuilt in the districts hit by the earthquake. The new Constitution expressly stated that no child was to be subjected to physical, mental or any other form of torture. He could assure Mr. Cardona Llorens that departmental action had been taken against the policeman responsible for the abuse of a boy in a police station in Kavre District. To prevent the occurrence of such incidents in the future, human rights units had been set up in the country's military and police forces.

36. Other recent developments included the amendment to the Civil Code that introduced a prohibition on corporal punishment, initiatives designed to encourage child-

friendly local governance and a proposal, included in the bill amending the Children's Act, to establish a high-level committee to facilitate the coordination of work on issues of concern to children. In his capacity as a member of the Election Commission, he himself had reviewed alleged violations of the Election Code of Conduct. Action had been taken against those found to have violated the Code, including a sitting minister.

37. **Mr. Rupakhetee** (Nepal) said that, according to a number of sources, including the United Nations Children's Fund (UNICEF), rates of child marriage had been falling in recent years. Both the Government and civil society had contributed to the progress made in that respect. The National Strategy to End Child Marriage focused on empowering and educating girls, engaging boys and men, and mobilizing religious leaders and society as a whole. Legal reform was another component of the Strategy. For instance, by law, girls who had already married were entitled to contraceptives. Efforts were being made to sensitize civil society, religious leaders and concerned adults about the issue of child marriage. Girls who were already married were provided with services, such as assistance with contraception or counselling in pregnancy spacing, by the State. The current budget included a special allocation for the effort to combat child marriage, and the Department of Women and Children was implementing a special service package in 36 out of the country's 75 districts. The Government had asked all development partners to earmark funds for efforts to put an end to all harmful traditional practices, including child marriage. At the London Girl Summit of July 2014, Nepal had made a commitment to end child marriage by 2020, a target date that had subsequently been extended to 2030 in line with the Sustainable Development Goals. The implementation of the 2005-2015 National Plan of Action for Children had now been evaluated, and measures targeting harmful traditional practices and child exploitation would be incorporated into the next plan of action.

38. Efforts were being made to provide alternative care for children by placing them in a family environment under foster care arrangements rather than in residential homes or other institutional settings. In order to address shortcomings in the coordination and implementation of policies and programmes, the Central Child Welfare Board was to be restructured and would in future be chaired by the Prime Minister. Concerted efforts were being made to increase budget allocations for child protection and other services.

39. Until the disaggregated results of the multiple indicator cluster survey could be processed, it would be difficult to determine what action needed to be taken to improve data collection in the State party. Efforts were being made to link the information systems of the various agencies, and a special software package was being developed by the Central Child Welfare Board.

40. Corporal punishment was on the decline, partly as a result of teacher training and partly thanks to a campaign launched in 2014 that had received support from numerous local and international NGOs. Nepal was an active member of the South Asia Initiative to End Violence Against Children (SAIEVAC), which worked to combat child marriage, corporal punishment and child labour. The new legislation that was being drafted took account of the best interests of the child, and children's participation was sought in all programmes affecting them. The provisions of the bill amending the Children's Act that dealt with crimes against children were more victim-oriented, and children's rights to confidentiality and to participation were explicitly established.

41. **Ms. Sandberg** said that Nepalese children themselves had made it clear that parental love and proper care were very important to them, yet they could see that their parents had many problems with drugs and alcohol, for example. Many parents left home to find work, leaving behind them child-headed households. Did the State party have any programmes designed to teach parenting skills? Many of the children sent to children's homes had at least one parent living: what did the State party do to prevent them from being placed in orphanages? The Government's written replies to the list of issues (CRC/C/NPL/Q/3-

5/Add.1) mentioned support programmes intended to enable families to keep their children; had those programmes been assessed and, if so, what results had they yielded?

42. She would like to know more about how the earthquake had affected children in Nepal, both those still with their families and those who no longer had a family. The written replies mentioned programmes that promoted family-based alternative care. Was there in fact a foster care system? According to information received by the Committee, such a system had not been introduced, yet the replies gave figures showing a decline in foster care in recent years. Were there other ways of providing family-based care, such as placement with members of the extended family? In general, she would like to know what measures were being taken to deinstitutionalize care, as many children were still living in institutions. What criteria were applied when deciding whether to place children in residential settings or foster care? Were such placements subject to regular review and time limits, for example? Placement decisions appeared to take no account of a child's cultural background, and she wondered what the State party was doing to correct that. What was the difference between child protection officers and child protection inspectors? Were they both trained social workers? She would be interested to learn how their work was coordinated at the local and district levels? Were there child protection officials in all parts of the country including remote areas?

43. The Committee had heard that some orphanages were profit-making enterprises and ran "voluntourism" schemes whereby tourists paid to volunteer in those orphanages for short periods of time. How were such businesses regulated? Was it possible that such arrangements might tend to create an incentive for taking children away from their families and placing them in such institutions? She would appreciate the delegation's comments on reports that children were sometimes stolen from their birth parents so that they could be put up for adoption. Did the State party plan to ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption? As it was no longer possible for foreign couples to arrange for surrogate births, she wondered how children who had been born as a result of such arrangements were being cared for, since they could not be taken out of the country.

44. The State party's report referred to sexual and reproductive health services for adolescents. How were those services assessed? Could adolescents receive confidential counselling and were they attended by well-trained medical staff? Was information on sexual and reproductive health made available in schools? Intersex children in Nepal reported that they felt stigmatized. In the Committee's view, exposing intersex children to medically unnecessary procedures at an early age, before they could form and express their own views, amounted to a harmful practice. She wondered if the delegation was aware of that issue.

45. Although the education budget had grown in absolute terms, it had declined as a percentage of the total budget. She would appreciate an explanation. Free compulsory primary education was now provided by over 1,000 village development committees, and a further 500 had plans to do so. Would that then mean that the entire country would have coverage? How did the State party intend to implement the constitutional right to free education up to secondary level? Would secondary education, in addition to being free, be compulsory as well? Apparently, many children did not attend primary school because of hidden fees and costs for such items as uniforms and books. She was aware that legal action could be taken against schools that collected such fees, but she wondered whether that happened in practice. What plans were there to regulate the growing number of private schools? Was there a risk that their presence would hinder the achievement of equality in education? She would like to know how accessible schools were in remote areas and what was being done to reduce the dropout rate in secondary education and to encourage children, particularly girls and children in disadvantaged areas, who completed primary school to go

on to obtain a secondary education. She was pleased to hear that more girls' toilets would be provided in schools. Were arrangements being made to ensure menstrual hygiene by, for example, providing girl students with sanitary pads? She understood that girls were often required to give greater priority to household chores and caring for siblings than to attending school. What steps were being taken to help them to stay in school?

46. Enrolment rates for indigenous children were low and dropout rates high. Apparently 30 per cent of children did not have Nepalese as their first language. She would like to know what the State party was doing to promote the use of linguistically and culturally appropriate teaching methods for that group and whether it had a strategy to further develop multilingual education in the early grades. She would like to learn more about the measures being taken to improve the quality of education, in particular of human rights education, and to assess learning outcomes. While there had been a general increase in pre-primary school enrolment, she wondered whether that was also the case in remote areas and for all groups, including Dalits and indigenous students.

47. **Mr. Cardona Llorens** said that the definition of disability used in the 2011 census did not meet World Health Organization (WHO) standards and the exercise had consequently yielded misleading statistics that underestimated the percentage of children with disabilities. Did the State party have any plans to change that definition in order to obtain reliable data that could be used as a basis for the formulation of appropriate policies? Notwithstanding the constitutional principle of inclusion, the reality was that children with disabilities formed the majority of children who were not enrolled in school and who were placed in institutions. Moreover, cultural values led many parents to hide their own children away if they had disabilities. What measures were being taken to combat such stigmatization?

48. He would like to know what poverty indicators were in place for use in formulating policies that would help to put an end to the poverty that still plagued large parts of the country. Was there in fact a social security system in place?

49. He welcomed the State party's collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR), but noted that there was still no legal framework in place for refugee protection. Tibetan children were reportedly being forcibly returned to China, and other Tibetan refugees were not being issued identity papers. What steps were being taken to deal with that situation? He would appreciate comments on reports that refugees were unable to register the births of their children and had no access to education.

50. Over 600,000 children aged between 5 and 17 were apparently engaged in hazardous labour and, in all, over 1.5 million children were working. Notwithstanding the State party's ratification of the International Labour Organization (ILO) Minimum Age Convention (No. 138) and Worst Forms of Child Labour Convention (No. 182), the legal age in the State party for employment in dangerous forms of work was 16. What plans did the State party have to change the law in order to prevent children from engaging in dangerous work and to guarantee the rights of all children who worked?

51. Out of the total number of cases of trafficking detected in Nepal, 55 per cent involved children, some of whom were taken to India to work in brothels, while others went to work in Gulf countries and others were trafficked internally in the entertainment and prostitution industries. He would like to know what policies were in place to combat child trafficking.

52. **Ms. Muhamad Shariff** said that, despite considerable progress in reducing mortality and morbidity among children under 5 years of age, little headway had been made in reducing neonatal deaths and the occurrence of vaccine-preventable diseases. Infection remained a major cause of neonatal death, and childhood diseases were still a threat to

disadvantaged population groups. Mortality rates were linked to the accessibility and quality of health services. The Constitution guaranteed the right to basic health and social security, yet anaemia and malnutrition still affected large numbers of children, and stunting affected 41 per cent of all children under the age of 5. What plans did the State party have to address those concerns? Detailed information on the budget for child health services would be appreciated.

53. A 2011 survey had shown that none of the hospitals certified as "baby-friendly" was properly promoting breastfeeding. Only 45 per cent of newborns were given breast milk within an hour of delivery. There was no mechanism for monitoring compliance with the law regarding the sale of mother's milk substitutes, and there were disparities between the various legal provisions on maternity protection for working women.

54. Information on the mental health services available to children would be of interest. Were they child-friendly, free and confidential, and accessible to all children? He would also like to know whether psychological counselling services had been made available to earthquake victims.

55. According to information at the disposal of the Committee, persons between the ages of 10 and 19 accounted for 4.7 per cent of all reported cases of HIV, with more girls than boys being affected. Were medical services free of charge for children and their mothers? How frequent were follow-ups? Were there accessible clinics even in remote regions? The Global Fund to Fight AIDS, Tuberculosis and Malaria was currently the main source of funding in the area of HIV/AIDS; he wondered whether the Government had considered allocating financial resources for the Prevention of Mother-to-Child Transmission Programme.

56. According to information made available to her, the mean age at which the first instance of drug abuse occurred in Nepal was 17.2 years, and drug use sometimes started as early as 10. Alcohol use was also quite prevalent among adolescents and younger children. She would like to know whether the State party had any statistics on the prevalence of those problems. Were there any programmes or rehabilitation services for children involved with drugs or alcohol? She would like to know how the State party was dealing with the problem of the use of children for drug trafficking. Did the State party have any data on children who were in prisons with their mothers? Were the best interests of the children concerned taken into consideration in criminal proceedings involving their parents, particularly when judges were pronouncing sentence? She wondered whether the State party had statistics on the numbers of street children and what services the State party provided for that group, notably with regard to education and drop-in centres.

57. Sexual violence went largely unreported, with cases often being resolved within the community through monetary compensation or marriage of the victim to the perpetrator. Was there a complaint mechanism and support mechanisms for victims of sexual abuse? She would like to know whether officials who dealt with victims, including judges and police officers, were properly trained and whether there were women police officers in all police stations. What was the conviction rate? She would like to urge the State party to consider repealing the statute of limitations for the filing of rape charges and would appreciate some information on child helplines.

The meeting rose at 6 p.m.